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Notice of Allowability

Application No.

10/657,979

Examiner

Tina M. Wong

Applicant(s)

CHANDRASEKHAR ET AL.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 18 July 2005.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 18 July 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

John D. Lee
 John D. Lee
 Primary Examiner

Examiner's Statement Of Reasons For Allowance

Applicant's arguments and amendment filed on 18 July 2005 have been fully considered. Claims 1-12 are therefore allowed with the additional limitations included.

The following is an examiner's statement of reasons for allowance:

The prior art of record in this application fails to disclose or reasonably suggest a hierarchical OADM apparatus comprising a power splitter for receiving a multi-wavelength input signal and splitting into a first portion to a waveband OADM and a second portion to a variable-bandwidth wavelength OADM. The waveband OADM with coarse granularity (for selectively passing or blocking a group of wavelengths) receives the first signal portion and selectively passing one or more waveband of the first portion where each waveband includes a group of wavelengths, outputting the non-passed wavebands at the drop port and receiving a second input optical signal at an add port which is combined with passed wavebands to form the first output signal. The variable-bandwidth wavelength OADM with fine granularity (for selectively passing or blocking a wavelength) connected in parallel with the waveband OADM receives the second portion and providing variable bandwidth by selectively passing one or more wavelengths of a selected one or more non-passed wavebands of the waveband OADM, outputting the non-passed wavelength at a drop port and receiving a third input optical signal at an add port which is combined with a passed wavelength channel of the optical signal to form the second output signal and combining the first and second output signal to form an OADM apparatus output signal.

The closest prior art of record is U.S. Patent Application Publication 2004/0208548 to Gruber et al. Gruber et al discloses an apparatus for networking and switching nodes in a transmission line including a splitter, which splits the signal into two components, an OADM and a photonic switch in parallel, and then combines the two outputted signals. However, Gruber et al fails to disclose an array of OADM components in parallel for coarsely and finely granulating optical wavelengths. Rather, Gruber et al discloses a single OADM and a photonic switch capable of adding and dropping signals, not wavebands. Therefore, claims 1-12 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

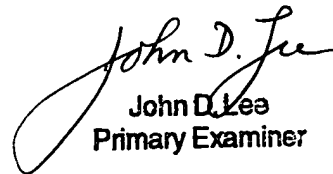
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TMW



John D. Lee
Primary Examiner